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Crime prevention and criminal justice

Improving the coordination of efforts against trafficking in persons

Report of the Secretary-General

Summary

Pursuant to General Assembly resolution 63/194, the present report summarizes the work done by the United Nations Office on Drugs and Crime to implement that resolution and contains proposals on strengthening the capacities of the Office for the efficient implementation of its coordination functions.

1. In its resolution 63/194, the General Assembly called upon the Secretary-General to collect the views of all stakeholders, including Member States and regional and international organizations, on how to achieve the full and effective coordination of efforts against trafficking in persons of all Member States, organizations and machineries, treaty bodies and all other partners within and outside the United Nations system, including civil society, and to ensure the full and effective implementation of all legal instruments relevant to trafficking in persons, particularly the United Nations Convention against Transnational Organized Crime and the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children (Trafficking in Persons Protocol), and to submit a background paper to the General Assembly at its sixty-third session.

2. The Secretary-General presented the background paper to the General Assembly on 5 May 2009, summarizing the views of a broad and diverse group of Member States, international organizations and civil society stakeholders on the aforementioned issues. The background paper also summarized responses addressing the advisability of adopting a global plan of action on preventing trafficking in persons, prosecuting traffickers and protecting and assisting victims of

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trafficking, including its potential value in ensuring efficient and coordinated action against trafficking in persons.

3. The background paper informed the interactive dialogue of the General Assembly on the theme "Taking collective action to end human trafficking", held on 13 May 2009 in New York. In the course of the dialogue, delegations considered the advisability of a global plan of action. Overall, there was consensus on the need for greater political will and commitment to prevent and combat trafficking in persons, the need to strengthen international efforts and collective action by Member States and other stakeholders and the need to ensure universal ratification of the United Nations Convention against Transnational Organized Crime, the Trafficking in Persons Protocol and other relevant international instruments.

4. The main arguments presented by Member States in favour of a global plan of action were that it would foster the necessary political will and commitment at the global level and would provide a comprehensive strategic framework and contribute to greater coordination of collective efforts by Member States, the United Nations system and non-State actors. Member States also argued that a global plan of action would contribute towards and complement the implementation of existing international instruments and mechanisms and bridge the gaps among them. It would promote international cooperation and provide an opportunity to link preventing and combating trafficking in persons to other internationally agreed goals. It was also argued that a global plan of action would prescribe forward-looking operational measures, targets and indicators of achievement so that the international community could assess progress and redirect policies accordingly, as well as improve the effectiveness of national, regional and international responses.

5. The participants in the thematic dialogue stressed that the development and adoption of a global plan of action should be based on a broad consensus among the international community and on the principle of shared responsibility. It should be transparent and ensure ownership by all stakeholders. Participants also underscored that a global plan of action should provide a situation analysis, a road map showing what needs to be achieved and the corresponding resource requirements. It should complement existing regional and international instruments, address conceptual gaps in line with national and regional policies and ensure a human rights based approach to ensure the full protection of victims. The global plan of action should also address the root causes of trafficking and the demand that fosters exploitation.

6. During the interactive thematic dialogue, a number of delegations raised concerns as to the need for and the added value of a global plan of action. The main arguments presented include the concern that a global plan of action might duplicate existing international instruments and that the priority should be to strengthen the implementation of such instruments and establish a stringent monitoring mechanism for the United Nations Convention against Transnational Organized Crime and the Trafficking in Persons Protocol. Member States also recalled that the Conference of the Parties to the Convention and its Working Group on Trafficking in Persons already offer a platform for coordination. They underscored that the development and negotiation of a global plan of action would divert time and resources from the implementation of existing international instruments and the delivery of technical assistance. Questions were also raised as to how the global plan of action would be reconciled with existing national and regional plans of action.

7. The Vice-President of the General Assembly, speaking on behalf of the President, concluded the interactive thematic dialogue by committing to work with Member States to develop a global plan of action to bring together punitive and restorative measures as well as the development, justice and security dimensions.

United Nations Global Initiative to Fight Human Trafficking

8. The United Nations Global Initiative to Fight Human Trafficking (UN.GIFT) is managed by the United Nations Office on Drugs and Crime (UNODC) in cooperation with the International Labour Organization, the International Organization for Migration, the Office of the United Nations High Commissioner for Human Rights, the Organization for Security and Cooperation in Europe and the United Nations Children's Fund.

9. As a follow-up to the Vienna Forum to Fight Human Trafficking, held from 13 to 15 February 2008, organized under the auspices of UN.GIFT, UNODC continued to hold regular consultations with Member States. A draft work programme of UN.GIFT was discussed during an informal consultation held on 28 May 2008, and regular updates and reports have been made available, including a presentation to the open-ended interim Working Group on Trafficking in Persons, when it met on 14 and 15 April 2009.

10. UN.GIFT continues to operate as a technical assistance project within the mandates agreed by the relevant governing bodies, and its work programme will continue to be implemented until its programmed activities have been completed.

Inter-Agency Cooperation Group against Trafficking in Persons

11. The Executive Director of UNODC is entrusted with the coordination of the activities of the Inter-Agency Cooperation Group against Trafficking in Persons (ICAT). ICAT aims to promote coordination and cooperation to increase the efficiency and quality of anti-human trafficking programmes and address the challenges of duplication of efforts and rationalization of resources.

12. The last meeting of ICAT was held on 22 and 23 April 2009 in Vienna. It was open to its current members, including organizations outside the United Nations system, and to Member States. The meeting discussed possible approaches to strengthen the coordination efforts of ICAT against trafficking in persons. The outcome of the meeting was shared with Member States at a meeting on 23 April 2009.

13. ICAT members reiterated the need for regular meetings of the Group and that the meetings should have concrete objectives and outcomes. The goal of coordination carried out under ICAT should be to increase operational synergies within the Group. ICAT agreed on the concept of a rotating Chair and agreed to host meetings in different venues to increase ownership by the participating organizations. It was also agreed that the meetings would focus on different aspects of trafficking in persons to make the most of the different mandates of member organizations. UNODC would maintain its mandated role within ICAT.

14. ICAT members also agreed that its coordination activities should be carried out at the global level as well as at the regional and national levels, through a phased approach. ICAT is exploring synergies that can be created with existing

coordination mechanisms at all levels to enhance coordination, including the use of existing electronic resource networks to increase information exchange. The Group agreed to publish a technical assistance toolkit containing resources and best practices recognized by all organizations and to identify opportunities for joint ICAT activities and statements. The Group recalled that it seeks funding, as all of its activities depend on extrabudgetary resources.

15. UNODC proposed to host the next ICAT meeting in October 2010 in the margins of the Conference of the Parties to the United Nations Convention against Transnational Organized Crime and its supplementing Protocols.

Working Group on Trafficking in Persons

16. At its fourth session, held in Vienna from 8 to 17 October 2008, the Conference of the Parties to the United Nations Convention against Transnational Organized Crime adopted decision 4/4. In that decision, the Conference decided to establish an open-ended interim working group to advise and assist the Conference in the implementation of its mandate with regard to the Trafficking in Persons Protocol. It also decided that the working group should perform the following functions:

(a) Facilitate implementation of the Trafficking in Persons Protocol through the exchange of experience and practices between experts and practitioners in this area, including by contributing to the identification of weaknesses, gaps and challenges;

(b) Make recommendations to the Conference on how States parties can better implement the provisions of the Protocol;

(c) Assist the Conference in providing guidance to its secretariat on its activities relating to the implementation of the Protocol;

(d) Make recommendations to the Conference on how it can better coordinate with the various international bodies combating trafficking in persons with respect to implementing, supporting and promoting the Protocol.

17. The Conference further decided that the working group should meet during the fifth session of the Conference and should hold at least one intersessional meeting before that session. The first meeting of the Working Group on Trafficking in Persons was held in Vienna on 14 and 15 April 2009. A second meeting of the Working Group will be held in Vienna from 27 to 29 January 2010.